June 8, 2003

To: Community Advisory Group- Portland Harbor

From: Willamette Riverkeeper

Re: Programmatic Workplan Comments

The following are comments from Willamette Riverkeeper on the Programmatic Workplan for Portland Harbor. If you have any questions about these comments, give us a call at 503-223-6418. We hope you find them useful.

Willamette Riverkeeper has multiple comments about this workplan. These comments follow.

1. Generally, the document is better written than the previously submitted workplan.

2. The critical objective listed in the Introduction (Page 1) and throughout the document is "to characterize the Site sufficiently to allows EPA to define site boundaries and select a remedy" protective of human health and ecological receptors. However, nowhere in this document can I find the process by which that will be done. How and when will the ISA be evaluated in terms of the larger project area, what decision points are planned for addressing boundary changes, how does the ISA differ from other parts of the Harbor within the Superfund site, how significant is that and what impact might that have on using the ISA as the basis for decision making?

3. It is unclear in many portions of the document when the discussion is focused on the ISA and when it includes the entire Portland Harbor Superfund area.

4. Communication between States, Local governments, Tribes and Natural Resource Trustees is listed as a key concept for the RI.FS however I do not see a communication plan in the report.

5. Evaluation of assumptions and uncertainties is listed as a key concept in the RI/FS however, there do not appear to be delineated decision points to address these issues.

6. Issues were raised as comments to the prior workplan on the process of evaluating historical data and inclusion or exclusion of nondetects with high detection limits. While a discussion of current data is provided, I did not see the evaluation of historical data discussed in the report. Has this been revised to be consistent with the current data analysis discussion?

USEPA SF
1436985

7. The terms iterative and tiered are used interchangeably but mean two different things. These processes should be clarified within the document.

8. The guiding criteria appear to be EPA rather than DEQ. How will this impact the uplands clean-up which will be required to adhere to DEQ's more stringent clean-up criteria and risk assessment processes?

9. EPA allows for a risk range of 10E-4 to 10E-6. ODEQ's regulatory standard for carcinogens is 10E-6. The document merely states the criteria, but does not discuss the guiding criteria for this site.

Specific Comments:

1. Page 1, paragraph 2. A critical objective is determined to be the characterization of the Site sufficiently to allow EPA to define site boundaries.....how the ISA information will be used to accomplish this does not appear to be discussed in this document. See general comment #1.

2. Page 14 last paragraph. As all of the sampling seems to be focused on the ISA, how will the primary objective of this document as listed in #1 be accomplished?

3. Page 34. In the discussion of River Dynamics, it appears that the ISA is predominantly in "dynamic equilibrium". What significance does this have in using the ISA as the primary area of study for the entire Portland Harbor site and how does it affect the applicability of findings in this area to the entire Superfund site?

4. Page 43/44. These paragraphs describe DEQ's role in implementing, monitoring and enforcing discharge limits to the River. To what extent will DEQ's current backlog of issuing and monitoring permits and other water quality related issues impact this process and proposed remediation? How is this being resolved?

5. Page 83. "Complete and minor". It is stated that this pathway will not be quantitatively addressed unless sufficient data is available. Isn't the lack of data a "data gap" and to be addressed in the rounds of sampling?

6. Page 84. Second and third paragraphs. Pore water is considered a complete and uncertain pathway for infaunal and benthic invertebrates (paragraph 2) and a complete and major pathway for mollusks (paragraph 3). How does the information on pore water differ to the extent that these two different determinations have been made?

7. Page 87. Why was a diver not included as a receptor for surface water? Which scenario would be consider protective for this receptor as diving activities to repair ships and by public safety officials does occur in the river. Additionally, a diver would be protective of other recreational river uses such as boating, sailing and jet skiing where there is more significant contact with surface water than a shore side dock worker. All receptors appear to address current conditions, what about future receptors? Input at community meetings and the City of Portland's general direction to renovate the waterfront area indicate a general desire on the part of the community to increased uses of the River. Where and how are these types of future receptors being addressed?

8. Page 88. Third paragraph. It is stated here that the baseline risk assessment will focus on the ISA. At what point and how will information relative to the ISA be used to fully characterize the Superfund site? Will the HHRA be reevaluated once the boundaries have been redefined?

9. Page 89. Current and Future Transients. Evaluation of fish consumption by this receptor appears to have been written off, at this early stage of the RI/FS why is this not considered a data gap?

10. Page 92/93. Risk Based Approach to ROD. Information from the human health and ecological risk assessment, which appear to be driven by information limited to the ISA, will provide the basis for the FS. It is not clear from this discussion at what point the entire Superfund site will be included in this process. As the ISA is located in an area of the River considered to be in dynamic equilibrium, how will this be addressed when areas of potentially unacceptable concentrations of sediment are identified for remediation.

11. Pages 95/96 Pre-AOC Tasks and Round 1 Work. It is unclear where this work was done –was it limited to the ISA ?

12. Page 98 Round 2. Where will this be done? Limited to ISA?

13. Page 104 Section 6.3.8 Where and how will the Site boundaries be redefined? It appears that the discussions continue to focus on the ISA.

14. Page 107 Item #4 Is this limited to the ISA or does this refer to the full site characterization?

15. Page 112. Bullet #5. How will the river dynamics be factored into this, or will this sampling not be limited to the ISA?

16. Page 117. The discussion on this page is unclear. Is this limited to the ISA? If so then how will this be used to fully characterize the site beyond the ISA?

17. Page 125. #4 Can co-location be demonstrated and to what extent?

18. Page 133. Early Actions. How will the impacts of early actions be evaluated on areas outside of the ISA and vise versa?

Appendix C Ecological Risk Assessment Approach

19. Page 1 Paragraph 2. Where and how will the boundaries of the site be defined?

20. Page 3. The process describes the consideration of background concentrations of constituents after the site risk characterization has been completed. As background concentrations can drive a risk assessment isn't there a danger that constituents that are site related and can be remediated will be overshadowed and deemed "insignificant" unless constituents within background concentrations are removed from the overall site characterization?

21. Page 4. Can co-location be demonstrated? How will co-located sampling data be used? What impact do the river dynamics have on this?

22. Page 5/6 Section 1.5 How and where will ISA be redefined?

23. Page 14 Individual Level measures. Will all species listed in Table 2-8 be evaluated on an individual level?

24. Page 16 and Section 2.3. From the discussions on these pages, it appears that the ISA may have some significant differences from the rest of the Superfund area, how will this impact the ability to use the ISA in order to understand areas within the Site but outside of the ISA?

25. Page 56. Complete and minor. See Specific Comment #5.

Appendix D Human Health Risk Assessment Approach

26. Pages 1 and 2 HHRA Objectives and Approach. The subject area for these discussions appears to be the entire Portland Harbor Superfund area. However previous discussions in the main body of the text indicate that the HHRA will be conducted only on the ISA. This needs to be clarified and the process by which the boundaries will be reevaluated and addressed should be clearly delineated.

27. Page 10 Bullets. While all receptors need not be fully addressed, why is a diver not included? Which receptor listed will be protective of the diver and recreational water users such as sailor or jet skier? See specific comment #7

28. Page 13 Potentially Complete and Insignificant Pathways. Low concentrations of chemicals are determined within the chemical screening, not in the pathway analysis.

29. Page 15. As homelessness becomes an increasing problem in our area, children should be included in the transient scenario.

30. Page 18 Section 3.3.4.1 Dermal contact with surface water is considered negligible and insignificant for the selected receptors, therefore they are not protective for those receptors that do have significant contact with surface water such as boaters, divers, sailors and jet skiers. This receptors should be considered to address potential impacts from surface water.

31. Page 35. Section 4.4 Non-cancer health impacts for dioxins and furans are addressed using a Margin of Exposure (MOE) methodology. Will noncancer effects be addressed in the RA? This section implies that only carcinogenic effects will be quantitatively evaluated.

32. Page 38. EPA and DEQ regulatory standards. Will EPA's or DEQ's regulatory standard guide the clean-up?

33. Page 39. Will a separate workplan be submitted in the event that a probabilistic approach is incorporated into the RI/FS.